

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>DANIEL ANTHONY KLOSS,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>C.A. No. 18-25 Erie</b>
	)	
<b>v.</b>	)	
	)	
<b>CORRECT CARE SOLUTIONS, LLC,</b>	)	
<b>et al,</b>	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

This prisoner civil rights action was received by the Clerk of Court on January 19, 2018 and was referred to the undersigned, then a United States Magistrate Judge, for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. On May 9 and May 14, 2018, Defendants filed motions to dismiss for failure to state a claim [ECF Nos. 22, 25], to which Plaintiff filed a response on June 4, 2018 [ECF No. 30].

On September 14, 2018, the undersigned was sworn in as a United States District Judge. This action was reassigned to the undersigned, as presiding judge, on September 19, 2018, and was subsequently assigned to United States Magistrate Judge Richard A. Lanzillo for all pretrial proceedings on September 28, 2018.

On October 31, 2018, Judge Lanzillo issued a Magistrate Judge's Report and Recommendation ("R&R") recommending that Defendants' motions to dismiss be granted and that this case be dismissed. [ECF No. 34]. On November 27, 2018, Plaintiff filed Objections to the R&R [ECF No. 35], in which he essentially reiterates the same arguments raised in his brief

in opposition to Defendants' motions to dismiss.

After *de novo* review of the complaint and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 30<sup>th</sup> day of November, 2018;

IT IS HEREBY ORDERED that Defendants' motions to dismiss [ECF Nos. 22, 25] are GRANTED, and this case is DISMISSED. The report and recommendation of Magistrate Judge Lanzillo, issued October 31, 2018 [ECF No. 34], is adopted as the opinion of the court.

s/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge

cc: The Honorable Richard A. Lanzillo  
U.S. Magistrate Judge